IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 12688 of 2005

Between:

Vasavi Degree College, Mahabubnagar rep by its Secretary and Correspondent, E. Ashok Reddy, S/o. Sri Kommala Reddy, Aged about 40 years, resident of Mahabubabad, Warangal District.

..... PETITIONER

AND

1 A.P. State Council of Higher Education, rep by its Secretary, Saifabad,

Hyderabad.

2 The Government of A.P. rep by its Principal Secretary to Government, Higher Education Department, A.P. Secretariat, Hyderabad.

3 Kakatiya University, Rep by its Registrar, Warangal.

4 Samaikya Degree College, rep by its Secretary and Correspondent, Sri Venkat Reddy, Mahabubabad, Warangal District.

5 Nalanda Degree College, rep by its Secretary and Correspondent, Sri Doli Satyanarayana, Mahabubabad, Warangal District

6 Vignana Bharati Degree College, rep by its Secretary and

Correspondent, Sri T. Ravindra Rao, Mahabubabad, Warangal District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the respondents 1 to 3 in seeking to grant permission to respondents 4 to 6 for starting degree Colleges at Mahabubabad Town despite non-availability of students and feasibility as arbitrary illegal.

Counsel for the Petitioner: MR.S.SATYAM REDDY

Counsel for the Respondent No.1: MR.SUDESH ANAND

Counsel for the Respondent No.2: GP FOR HIGHER EDUCATION
Counsel for the Respondent No.3: MR.DEEPAK BHATTACHARJEE
Counsel for the Respondent Nos.4 to 6: None appeared

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner aggrieved by the proposed action of the respondents in granting permission to the new Degree Colleges.

2. According to the petitioner, the petitioner has established a Decree College in Mahabubabad Town, Warangal District. In addition to the petitioner's college, there are three other Degree Colleges. Even the existing colleges are not getting sufficient students to fill all the sanctioned seats, and therefore, they are running the colleges with less than 60% of the sanctioned strength. In the present circumstances, if permissions are granted to establish new Colleges, it would worsen the situation, and the petitioner and other colleges may not be in a position to run the colleges, which are already established. Therefore, sought for a direction not to grant further permissions for establishing new colleges. The said contention is opposed by the respondents.

3. At the time of hearing, however, it is represented that in similar matter in the case of **Sri Chaitanya Degree College, Near Bus Station, Cherial, Warangal District v. State of A.P.,** in W.P.No.6218 of 2005 dated 24-03-2005, this Court directed the respondents to consider the objections filed by the existing institutions, and sought for similar orders.

4. The learned counsel appearing for the official respondents, however, contended that the applications have already been considered and the matters are at the final stage and in some cases even orders might have been passed.

5. Under the above circumstances, taking into account the orders already passed by this Court, the official respondents are directed to consider the objections of the petitioner, if no orders have already been passed with reference to the respondents 4 to 6.

6. Accordingly, the writ petition is disposed of. No order as to costs.

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S.ANANDA REDDY, J

16th June, 2005

Note:

Furnish C.C by tomorrow.

B/o.

SKM

To

1 The Secretary, A.P. State Council of Higher Education, Saifabad,

Hyderabad.
2 The Principal Secretary to Government, Government of A.P.
Higher Education Department, A.P. Secretariat, Hyderabad.
3 The Registrar, Kakatiya University, Warangal.
4 Two C.Cs. to G.P. for Higher Education,

High Court Buildings, High Court of A.P., Hyderabad (OUT)

5 Two CD copies